

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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UNITED STATES OF AMERICA,

AFFIDAVIT

Plaintiff-Appellee, Docket 95-5152

-against-

NATHANIEL DAWSON, JR.,

Defendant-Appellant.

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Wesley M. Serra, being duly sworn, deposes and says:

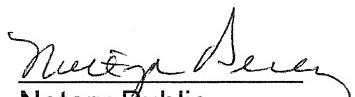
1. I am a member of the firm Irom, Wittels, Freund, Berne & Serra, P.C. My office is located at 349 E. 149th Street, Bronx, NY 10451. I am admitted in New York State, the Second and Fourth Circuits, and the Southern and Eastern Districts of New York.
2. On January 20, 2012, I received an email from Patricia Connor, the Clerk of this Court, which attached certain documents and requested a reply to one of them – a two-page motion to recall this Court's mandate from the above Defendant-Appellant, Nathaniel Dawson Jr. I respectfully submit this affidavit pursuant to the Court's request.
3. I was retained to prosecute the above appeal, and briefed and argued it before this Court. Due to the passage of time – it has been nearly fourteen years since I had any contact with the matter – I remember little else. My office, like most, destroys files in the ordinary course after seven years; the file in this matter was so destroyed several years ago. I therefore have no records whatsoever from which to attempt to refresh my memory.
4. For these reasons, I regretfully have nothing to contribute to the Court.

Dated: January 26, 2012
Bronx, New York



Wesley M. Serra

Sworn to before me this
26th day of January, 2012.



Notary Public

MILTZA PEREZ
Notary Public, State of New York
No. 01PE4687229
Qualified in Bronx County 2014
Commission Expires February 28, 2016